



Town of Charlton, Massachusetts

**WARRANT FOR SPECIAL TOWN MEETING
Tuesday, October 18, 2016**

To either of the Constables of the Town of Charlton:

In the County of Worcester,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Charlton qualified to vote in elections to meet in the Charlton Middle School, Oxford Road in said Charlton, on **Tuesday, October 18, 2016** at **seven o'clock** in the evening, for the purpose of taking action on the following articles:

ARTICLE 1. APPROPRIATION OF FUNDS FOR UNPAID BILLS OF A PRIOR FISCAL YEAR

To see if the Town will vote to raise by taxation, transfer or borrow and appropriate a sum or sums to accounts to be specified at the town meeting for payment of one or more prior fiscal year's bills not paid due to an insufficiency of appropriation or for other reasons, or take any action relative thereto or thereon.

SPONSOR: VARIOUS TOWN DEPARTMENTS AND OFFICIALS

ARTICLE 2. INTER/INTRA DEPARTMENTAL TRANSFERS AND/OR APPROPRIATIONS FOR FY2017 BUDGET

To see if the Town will vote to raise by taxation, borrow or transfer, and appropriate from available funds, including so called "free cash" and /or funds previously appropriated to other uses, a sum or sums of money to accounts and for purposes to be specified at the Special Town Meeting, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN, TOWN ADMINISTRATOR AND VARIOUS TOWN DEPARTMENTS

ARTICLE 3. CAPITAL ITEMS AND RELATED CONTRACTS

To see if the Town will vote to raise by taxation, borrow or transfer from available funds, including so called "free cash" and funds previously appropriated to other uses, and appropriate a sum or sums to purchase capital items and/or for service, repair, improvement, architectural, construction, renovation, improvement and/or other contracts relating to town buildings, facilities or property or to municipal services, and to authorize the Board of Selectmen, Chief Procurement Officer, or other appropriate town official, board, commission or committee to enter into such contracts or leases, and to take such

other action, as may be necessary or advisable to effectuate the purposes of such votes, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN/VARIOUS DEPARTMENTS

ARTICLE 4. TRANSFER TO/FROM STABILIZATION FUNDS

To see if the Town will vote to transfer and appropriate a sum or sums to or from the Stabilization Fund Account, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN

ARTICLE 5. BORROWING AUTHORIZATION REDUCTION

To see if the Town will vote to rescind unissued borrowing authorizations as follows:

Purpose	Date of Vote	Amount Authorized	Unissued
Prindle Pond Dam	5/17/10	\$495,750	\$230,750
Fire Truck	10/21/14	\$312,840	\$6,840

, or take any other action relative thereto or thereon.

SPONSOR: TOWN TREASURER

**ARTICLE 6. AMENDMENT TO TOWN PERSONNEL BY-LAW
CLASSIFICATION PLAN - HUMAN RESOURCE DIRECTOR**

To see if the Town will vote, pursuant to MGL, Chapter 41, Section 108A and in accordance with the recommendation of the Personnel Board, to amend its Personnel Bylaw by revising "CHAPTER 220-2.1. CLASSIFICATION PLAN" thereof, as follows:

By adding thereto the position of "Human Resource Director" to Grade 8, or take any action relative thereto or thereon.

SPONSOR: PERSONNEL BOARD

ARTICLE 7: ACCEPTANCE OF THE "STRETCH ENERGY CODE"

To see if the Town will vote to accept the "Stretch Energy Code" set forth in the Massachusetts Building Code and/or an appendix thereto, including amendments or modifications to such Stretch Energy Code, regulating the design and construction of buildings for the effective use of energy, a copy of which is on file with the Town Clerk, and to amend the Town of Charlton General Bylaws if necessary or advisable to give effect to the foregoing vote, or take any other action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN

ARTICLE 8. LEASE OF LAND POLICE STATION; 85 MASONIC HOME ROAD FOR TELECOMMUNICATIONS TOWER AND FACILITIES

To see if the Town will vote to authorize the board of selectmen and/or chief procurement officer to solicit and enter into, for and on behalf of the town, and on such terms and conditions as the board deems to be in the best interests of the town, a lease of such portion of town-owned land located at the Charlton Police site, 85 Masonic Home Road (shown on Assessors' Map 34, Parcel B-1.2) as the board deems to be in the best interests of the town and has determined is no longer, presently needed for the municipal purposes for which such land is presently being held, for a wireless telecommunications tower and related facilities, with a term, including all extensions and/or renewals, not exceeding thirty (30) years, and to take such further action as the board or chief procurement officer deems necessary or desirable for the purpose of effectuating the foregoing vote, or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN

ARTICLE 9. AMEND RESTRICTION- ASH ROAD

To see if the Town will vote to amend, or authorize the Board of Selectmen to amend, that certain restriction in the deed recorded with the Worcester Registry of Deeds at Book 49259, Page 233 pertaining to the real estate know as Assessor's Parcel 12B-D-3, 37 Ash Road in Charlton, so as to permit said restriction to apply to the owners of parcel located at and known as 42 Ash Road, and to authorize said Board to execute and deliver a corrective deed or deeds and other instruments as are necessary to effectuate the intention of the vote, or take any action relative thereto or thereon.

SPONSOR: TOWN TREASURER

ARTICLE 10. AMEND GENERAL BYLAW- RESCIND SEX OFFENDER BYLAW

To see if the Town will vote to, rescind "Chapter 167 Sex Offenders" of the Town of Charlton General Bylaws in its entirety; or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN

ARTICLE 11 ACCEPTANCE OF JENNINGS ROAD EXTENSION

To see if the Town will vote (1) to accept as a public way Phase 1 of "Jennings Road Extension" from Roadway Station 0+00 through Roadway Station 13+25 as shown on a plan entitled Phase 1 Acceptance & As Built Plans "Jennings Road Extension" dated October 2014 Revised 3-22-16 and 8-29-16, prepared by Summit Engineering & Survey, Inc. 25 Sutton Avenue, Suite 4, Oxford, MA 01540 and recorded with the Worcester District Registry of Deeds in Plan Book: 00884, Plan: 109, a copy of said plan being on file in the office of the Town Clerk, and (2) to authorize the Selectmen, in the name and on behalf of the Town, to accept such deeds of easement or fee for public way purposes and other instruments as the Selectmen shall deem advisable to accomplish such acceptance, or take any action relative thereto or thereon.

SPONSOR: OWNER- RUSS JENNINGS

ARTICLE 12. AUTHORIZE THE DEVELOPMENT OF A MUNICIPAL GAS DEPARTMENT

To see if the Town will vote to authorize the Board of Selectmen to review and consider applying for establishment of a Municipal Gas Department for the town, provided that the Board would not proceed beyond a study of or actually apply for same without first returning to town meeting; and further to appropriate the sum of \$5,000.00 for technical and legal assistance; or take any action relative thereto or thereon.

SPONSOR: BOARD OF SELECTMEN

No vote shall be taken on any motion relating to Articles 13 thru 15 below until the Planning Board has submitted a report with recommendations thereon to the Town Meeting, if 21 days have not elapsed since the public hearing before the Planning Board was held on the proposed amendment to the Zoning By-law set forth in said Article. (Gen. Laws Chapter 40A, Section 5, paragraph 3).

ARTICLE 13. ZONING MAP REVISION: MEDICAL RESEARCH AND DEVELOPMENT OVERLAY DISTRICT

To see if the Town will vote to amend the Zoning By-Law of the Town of Charlton by adding the following:

200-5.18 MEDICAL RESEARCH AND DEVELOPMENT OVERLAY DISTRICT (MRDOD)

A. Purpose

The purpose of the Medical Research and Development Overlay District (MRDOD) is to promote medical research facilities and the light manufacturing of medical equipment. Also allowed are land uses ancillary to such medical facilities, including warehousing and distribution facilities, office uses, and accessory uses.

B. Definitions

The definitions set forth in Section 200-2.0 shall apply, with the following additions:

Research Laboratory: A medical or scientific laboratory conducting research, excluding research laboratories categorized as Level 4 by the National Institutes for Health.

C. Overlay District

(1) Establishment. The MRDOD is an overlay district having a land area of approximately 79.78 acres, being Assessor’s Map 43, Lots A-1.2 and A.1.1, that is superimposed over the underlying zoning district., as shown on the map entitled “Medical Research and Development Overlay District

Zoning Map,” dated September 16, 2016, attached hereto. This map is hereby made a part of the Zoning Bylaw and is on file in the Office of the Town Clerk.

2. Underlying Zoning. The MRDOD is an overlay district superimposed on all underlying zoning districts. Except as limited herein, the underlying zoning shall remain in full force and effect.

3. Applicability of MRDOD. An Applicant for a Project located within the MRDOD shall apply for special permit and site plan approval in accordance with the requirements of this Section. In such case, then except as otherwise provided in this Section, such applications shall be subject to the regulations set forth in this Section only. When a building permit is issued for any Project approved in accordance with this Section, the provisions of the underlying district(s) shall no longer be applicable to the land governed by the special permit and site plan approval.

D. Permitted Uses

Subject to the grant of a special permit by the Planning Board, the following uses are permitted, individually or in combination with other permitted uses, in the MRDOD:

Biotechnology
Fiber-optics Facilities
Medical Research and Development
Scientific or Research Laboratory
Light Manufacturing of Medical Equipment
Warehouse/Distribution Facility
Office
Associated Accessory Uses

E. Dimensional Regulations

The following dimensional standards shall apply in the MRDOD:

Minimum Lot Area	10.00 acres
Minimum Lot Frontage	200 feet
Minimum Building Front Setback	100 feet
Minimum Building Side Yard	50 feet
Minimum Building Rear Yard	50 feet
Maximum Building Coverage of Lot	40%
Maximum Building Height	36 feet

F. Off-Street Parking and Loading Regulations

Off-street parking and loading shall comply with Section 200-4.2. The term “net floor area” shall mean 85% of the total of all floor areas of a building measured at the exterior walls.

(1) Any Biotechnology Facility, Fiber-optics Facility, Medical Research and Development Facility, Scientific or Research Laboratory, Light Manufacturing of Medical Equipment Facility, or Office shall require one (1) space per 250 square feet of net floor area.

(2) Any Warehouse/Distribution Facility shall require one (1) space per 500 square feet of net floor area.

G. Signs

Signage in the MRDOD shall comply with the requirements of Section 200-5.6.

H. Design and Performance Standards

(1) All performance standards set forth in Section 200-4.1 shall apply in the MRDOD.

(2) All performance standards set forth in Section 200-5.8, A – E inclusive, shall apply in the MRDOD.

(3) Multiple principal buildings may be placed on one lot provided that building separation and internal traffic and pedestrian facilities shall be approved by the Planning Board as part of the special permit review.

I. Site Plan Approval

An application for a special permit in the MRDOD shall also require site plan approval pursuant to Section 200-7.14.

J. Application for Special Permit

An application for a special permit and site plan approval shall be submitted in accordance with the Rules and Regulations for the Planning Board.

K. Procedures

The Planning Board may approve, approve with conditions, or deny an application for a special permit in the MRDOD after determining whether the proposed development is consistent with the purposes set forth in Section 200-5.18 and conforms with all applicable standards set forth in this Section.

L. Relation to Other Requirements

The provisions of this Section shall be in addition to the requirements of the Subdivision Control Law and any other applicable by-laws, rules, and regulations.

or take any action relative thereto or thereon.

SPONSOR: PLANNING BOARD

ARTICLE 14. ZONING BY-LAW REVISION: WATER SYSTEM INFRASTRUCTURE

To see if the Town will vote to amend the Zoning By-Law of the Town of Charlton as follows:

1. To amend Section 200-3.2 Use Regulations, Part B. Use Regulation Schedule, Sub-Section (6) **Communications, Transportation and Public Utility Uses** line (q) by deleting in this section the words “that the height of the structure shall not exceed seventy-five (75) feet”, and by deleting the word “three hundred (300)” and substituting therefor the words “one hundred (100)” and by deleting the word “twice”, and by deleting the letter “P” in a BEP district and substituting therefor the letter “Y.”

2. To amend Section 200-3.2 Use Regulations, Part B. Use Regulation Schedule, Sub-Section (6) **Communications, Transportation and Public Utility Uses** line (r) by deleting the words “three hundred (300)” and substituting therefor the words “one hundred (100)”, and by deleting the words “provided that the minimum setback from lot lines specified in sec. 200-3.2D or a setback equal to the height of the pumping station structure, whichever is greater shall apply.”

or take any action relative thereto or thereon.

SPONSOR: PLANNING BOARD

ARTICLE 15. ZONING BY-LAW REVISION: SEWER SYSTEM INFRASTRUCTURE

To see if the Town will vote to amend the Zoning By-law of the Town of Charlton as follows:

1. To amend Section 200-3.2 Use Regulations, Part B. Use Regulation Schedule Sub-Section (6) **Communications, Transportation and Public Utility Uses** by adding a new line u to read as follows:

(u) Sewer pump stations and appurtenances

and to place the letter “Y” designating by-right usage under all Districts for line (u) Sewer pump stations and appurtenances.

2. To amend Section 200-3.2 Part D. Intensity of Use Schedule, by adding a new footnote #10 to read as follows:

10 Minimum performance standards as detailed in the Intensity of Use Schedule are hereby not applicable to sewer pump stations and appurtenances.

or take any action relative thereto or thereon.

SPONSOR: PLANNING BOARD

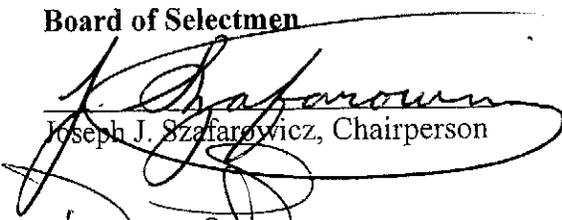
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And you are directed to serve this Warrant by posting attested copies thereof, one at each of the Post Offices, one in Dexter Memorial Hall and one in the Charlton Municipal Offices (George C. McKinstry, III Building) in said Town, fourteen days at least before the time and place of holding meeting.

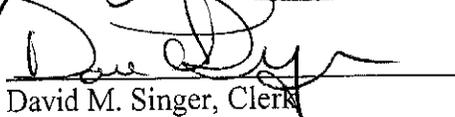
Hereof, fail not, and make due returns of the Warrant with your doings thereon to the Town Clerk at the time and place of holding meeting.

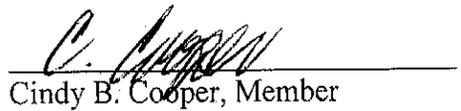
Given under our hands this 27th day of October, in the Year of Our Lord Two Thousand and Sixteen (2016).

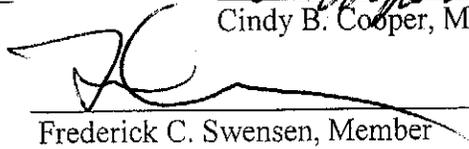
Board of Selectmen


Joseph J. Szafarowicz, Chairperson

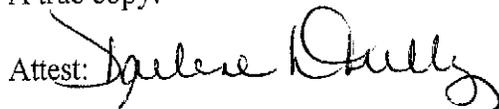

John P. McGrath, Vice-Chairperson


David M. Singer, Clerk


Cindy B. Cooper, Member


Frederick C. Swensen, Member

A true copy:

Attest: 

Posted as directed:

Constable/Police Officer of Charlton, Massachusetts *Sept. 29, 2016*
Richard J. Fespe, Jr